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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

# Office Action Summary

Application No.

08/529,021

Applicant(s)

Eduard Hoffmann et al

Examiner

J. R. Fisher

Group Art Unit

3307



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**Claims 1 and 2 are rejected under 35 U.S.C. § 102(e)** as being clearly anticipated by Kobler et al (5,488,903) who discloses a metal carrying sleeve for printing and transfer forms, comprising a rectangular, thin-walled flat sheet that is bent to a desired hollow cylindrical form so that two edges of the flat sheet face one another. A seam permanently connects together the facing edges of the sheet, and a homogeneous, continuous and outer circumferential surface is formed by processing the surface so that continuous printing is possible.

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

**Claim 3 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of Fromson et al (4,183,788), Gerhardt (5,281,511) and Fantoni et al (4,964,338). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, each of Fromson et al (4,183,788), Gerhardt (5,281,511) and Fantoni et al (4,964,338) discloses the conventional fabrication of a printing surface by the application of a photosensitive coat. Fromson et al (4,183,788) further teaches the conventional fabrication of a roughened and anodized surface. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working surface on the roller of Kobler et al (5,488,903) depending on the function desired. For example, it would have been obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by Fromson et al (4,183,788), Gerhardt (5,281,511) and Fantoni et al (4,964,338). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and desired results therefrom.

**Claim 4 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of Tittgemeyer (4,913,048). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, Tittgemeyer (4,913,048) discloses the placement of a conventional water conducting coat on the outer surface of a printing roller so as to

achieve a fluid releasing function. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working surface on the roller of Kobler et al (5,488,903) depending on the function desired. For example, it would have been obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by Tittgemeyer (4,913,048). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and desired results therefrom.

**Claim 5 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of Tittgemeyer (4,913,048), Kuhn et al (5,468,568) and Morgan (5,093,180). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Morgan (5,093,180) disclose the placement of a conventional engraved copper coat on the outer surface of a printing roller so as to achieve a printing function. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working surface on the roller of Kobler et al (5,488,903), depending on the function desired. For example, it would have been obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Morgan (5,093,180). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and

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desired results therefrom.

**Claim 6 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of each of Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Gerhardt (5,281,511). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, each of Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Gerhardt (5,281,511) discloses the placement of a conventional rubber coat on the outer surface of a printing roller so as to achieve a fluid transfer function. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working surface on the roller of Kobler et al (5,488,903), depending on the function desired. For example, it would have been obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Gerhardt (5,281,511). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and desired results therefrom.

**Claim 7 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903), as applied to claim 1, further in view of each of Kuhn et al (5,468,568), Lewis (5,289,769) and Berna et al (5,347,927). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, each of Kuhn et al (5,468,568), Lewis

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(5,289,769) and Berna et al (5,347,927) discloses the placement of a conventional flexographic printing form on the outer surface of a printing roller so as to achieve a fluid transfer function. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working surface on the roller of Kobler et al (5,488,903), depending on the function desired. For example, it would have been obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by Kuhn et al (5,468,568), Lewis (5,289,769), and Berna et al (5,347,927). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and desired results therefrom.

**Claim 8 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view Johnson (1,690,684). As broadly recited, the configuration of the welded seam, as claimed, would have been obvious to one of ordinary skill in the art. This is especially so in view of the teaching of the same in Johnson (1,690,684) who discloses a conventional welded seam having an outwardly directed crown. The motivation would have involved merely the obvious utilization of conventional welding techniques.

**Claims 9, 10 and 11 are rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view Johnson (1,690,684) as applied to claim 8, further in view of Dekumbis et al (5,147,999). Dekumbis et al (5,147,999) discloses conventional welding techniques comprising the use of welding filler materials, targeted

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gas feeds, and deposit welding. It would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate the weld in Kobler et al (5,488,903) by using conventional welding techniques, as claimed, especially in view of the teaching of the same as disclosed by Dekumbis et al (5,147,999).

**Claims 12 and 13 are rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of Fromson et al (4,183,788), Gerhardt (5,281,511) and Fantoni et al (4,964,338), as applied to claim 3, further in view in view of Johnson (1,690,684). As broadly recited, the configuration of the welded seam, as claimed, would have been obvious to one of ordinary skill in the art, especially in view of the teaching of the same in Johnson (1,690,684) who discloses a conventional welded seam having an outwardly directed crown. The motivation would have involved merely the obvious selection of conventional welding techniques.

**Claims 14 and 15 are rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of Kuhn et al (5,468,568), Morgan (5,093,180) and Johnson (1,690,684). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, Kuhn et al (5,468,568), and Morgan (5,093,180) disclose the placement of a conventional engraved copper coat on the outer surface of a printing roller so as to achieve a gravure printing function. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working



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surface on the roller of Kobler et al (5,488,903), depending on the fluid transfer function desired. For example, it would have been obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by Kuhn et al (5,468,568) and Morgan (5,093,180). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and desired results therefrom. As broadly recited, the configuration of the welded seam, as claimed, would have been obvious to one of ordinary skill in the art, especially in view of the teaching of the same in Johnson (1,690,684) who discloses a conventional welded seam having an outwardly directed crown. The motivation would have involved merely the obvious utilization of conventional welding techniques.

**Claim 16 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of Johnson (1,690,684) and each of Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Gerhardt (5,281,511). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, each of Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Gerhardt (5,281,511) discloses the placement of a conventional rubber coat on the outer surface of a printing roller so as to achieve a fluid transfer function. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working surface on the roller of Kobler et al (5,488,903), depending on the function desired. For example, it would have been

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obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by each of Kuhn et al (5,468,568), Tittgemeyer (4,913,048) and Gerhardt (5,281,511). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and desired results therefrom. As broadly recited, the configuration of the welded seam, as claimed, would have been obvious to one of ordinary skill in the art, especially in view of the teaching of the same in Johnson (1,690,684) who discloses a conventional welded seam having an outwardly directed crown. The motivation would have involved merely the obvious utilization of conventional welding techniques.

**Claim 17 is rejected under 35 U.S.C. § 103** as being unpatentable over Kobler et al (5,488,903) in view of Johnson (1,690,684) and each of Fadner et al (5,207,158), Morgan (5,093,180) and Jenkins (4,963,404). The particular working surface placed on the carrying sleeve would necessarily depend on the expected function desired to be obtained. For example, Fadner et al (5,207,158), Morgan (5,093,180) and Jenkins (4,963,404) disclose the placement of a conventional ceramic coat on the outer surface of a printing roller so as to achieve a fluid transfer function. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize any conventional working surface on the roller of Kobler et al (5,488,903), depending on the function desired. For example, it would have been obvious to utilize a roller surface in Kobler et al (5,488,903) for the reasons and as taught by Fadner et

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al (5,207,158) Morgan (5,093,180) and Jenkins (4,963,404). The motivation would have involved merely the obvious selection of conventional roller surfaces so as to obtain the expected and desired results therefrom. As broadly recited, the configuration of the welded seam, as claimed, would have been obvious to one of ordinary skill in the art, especially in view of the teaching of the same in Johnson (1,690,684) who discloses a conventional welded seam having an outwardly directed crown. The motivation would have involved merely the obvious utilization of conventional welding techniques.

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ART UNIT 3307

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